

Remarks

Claims 1-17 are pending.

Claims 5 and 6 are canceled.

Claims 1 and 7 are amended.

Claims 1-4 and 7-17 will be pending upon entry of this amendment.

Claim 7 is allowable.

Claim 1 is amended to require that the levelling agent of formula (I) is prepared in the presence of certain aloxyamines or certain stable nitroxyl free radicals. These particular structures are found on page 29 of the disclosure. Language from canceled claim 5 is also imported into claim 1. That is, when the levelling agent is prepared in the presence of a nitroxyl radical, a radical initiator is also present.

Claim 7 is amended to depend on claim 1.

No new matter is added.

Claims 1-6, 8-9, 11-13 and 16-17 are rejected under 35 USC 103(a) as being unpatentable over Schimmel, et al., U.S. Pat. No. 6,197,833 in view of Kramer, et al., U.S. Pat. No. 6,433,100.

Claims 10, 14 and 15 are rejected under 35 US 103(a) as being unpatentable over Schimmel in view of Kramer and further in view of Sherwin, et al., 4,711,944.

Schimmel is cited as teaching a thermosetting powder coating composition comprising an epoxide functional polymer, a crosslinking agent and a flow-control agent. The flow control agent is prepared by controlled radical polymerization (Abstract).

Sherwin is cited as teaching a coating employing branched polymers of tert-butylacrylate.

Kramer is cited as disclosing polymers prepared by ATRP and replacing the end group halogen with a nitroxyl group.

The Examiner states that it would have been obvious to a person skilled in the art at the time of the invention to have modified the flow control agent of Schimmel by replacing the terminal halogen left from the ATRP process with the R'R"N-O group taught by Kramer so that the resulting coating is free of the drawbacks resulting from the presence of the terminal halogen.

Applicants submit that the present claims in their amended form are not obvious over these combinations of references.

The alkoxyamine and the stable nitroxyl structures of present claim 1 are not fairly suggested by the cited references.

In view of the present amendments, Applicants submit that the present 35 USC 103(a) rejections are addressed and are overcome.

The Examiner is kindly requested to reconsider and to withdraw the present rejections.

Applicants submit that the present claims are now in condition for allowance and respectfully request that they be found allowable.

Respectfully submitted,



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